

IN THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 2. The attached sheet replaces the original sheet containing Fig. 2. The attached sheet changes the term "X-AXIS" to "Y-AXIS" in block 212. No new matter has been added by this amendment.

REMARKS

Claims 1-28 are pending in the application.

Claims 1-28 have been rejected.

The specification has been amended, as indicated above, to update the cross reference to related applications to reflect pending applications that had issued as patents.

The drawings have been amended, as indicated above, to correct minor informalities.

Claims 1, 2, 9, 11, 13, 14, 18-20, and 27 have been amended, as indicated above, to correct minor informalities.

No new matter has been added.

Reconsideration of the Claims is respectfully requested.

1. Rejection under 35 U.S.C. § 102

Claims 1-11, 13-16, 18-21 and 23-27 were rejected under 35 U. S.C. 102(b) as being anticipated by Milios et al., U.S. Patent Application Publication No. 2002/0077764 ("Milios").

For establishing anticipation, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. . . . The identical invention must be shown in as complete detail as is contained in the . . . claim." MPEP § 2131 at p. 2100-73 (8th ed., rev. 3, August 2005) (citations omitted).

Milios relates to providing "robust and highly reliable human-interface devices such as keyboards and pointing devices is they are to be coupled with computers via wireless links." (Milios ¶ 0001). With respect to providing this robustness, Milios recites a "link from the USB 34 to boot BIOS interface 57. . . . From there, the human interface device data pass through a virtual 8042 interface, just as in the [prior art] system of FIG. 3, and are then available to the operating system or application program 49 without any requirement of a functioning wireless driver 48." (Milios ¶ 0028) (emphasis added). As understood, an 8042 interface supports AT and PS/2 peripheral devices.

In general, the device of Milios uses the USB and boot BIOS interface 57 "[d]epending on a predetermined condition, . . . [which] may be the absence of the wireless communications driver, or for example may be the determination that the human interface device information is an escape sequence." (Milios ¶ 0009). Upon the occurrence of the predetermined condition, "the human interface device information is passed to a wireless communications driver in the operating

system, or is passed to the serial bus interface and is made available to the operating system by means other than the wireless communications driver.” *Id.* In other words, Milios provides an alternative to wireless device interaction when the host computer, and its wireless driver, fails - that is, in circumstances following “post-boot.”

Milios does not provide for a host interface that operates in a BIOS host interface mode to allow input from the wireless user input devices to the BIOS during bootstrap operations, and where the host interface operates in an OS host interface mode when the serviced host initiates OS operations.

As explained in Applicant’s Specification, bootstrap or booting operations on a host computer can cause period of in communication with wireless devices of the host computer. At page 2, the general boot process and difficulties are explained that when “the host computer is boot strapped (boot or booted) it first executes a Basic Input Output System (BIOS) that is typically retrieved from static memory. The BIOS performs a status check on the host computer and then, once the status check is completed, initiates loading of an Operating System (OS) that is contained on a hard disk, CD ROM, or other storage device. However, the BIOS has limited ability to recognize peripheral devices. Currently, most, if not all BIOSs do not support wireless user input device.” (Specification at p. 2, *ll.* 14-19). Explained in another fashion at Pages 3 and 4, that “during both the initiation of the bootstrap operations and initiation of the OS operations, the operations and the initiation of the OS operations, the host interface: (1) first presents to the serviced host an interface configuration corresponding to the OS host interface mode; and (2) second presents to the serviced host an interface configuration corresponding to the BIOS host interface mode. However, during the bootstrap operations, the BIOS does not recognize the configuration corresponding to the OS host interface mode but does recognize the configuration corresponding to the BIOS host interface mode. Further, while the OS recognizes both the configuration corresponding to the OS host interface mode and the configuration corresponding to the BIOS host interface mode, the OS selects the first presented configuration corresponding to the OS host interface mode.” (Page 3, *ll.* 22; Page 4, *ll.* 1-9) (emphasis added).

In contrast to Milios, Applicant’s Claim 1 recites, *inter alia*, a “host-side wireless interface that services communications between a wireless user input device and a serviced host, the host-side wireless interface comprising: . . . a host interface communicatively coupled to the wireless network interface and to the serviced host; wherein when the serviced host initiates bootstrap

operations via a Basic Input/Output System (BIOS), the host interface operates in a BIOS host interface mode to allow input from the wireless user input device to the BIOS during the bootstrap operations; and wherein when the serviced host initiates Operating System (OS) operations via an OS, the host interface operates in an OS host interface mode” (emphasis added).

Also, Applicant’s Claim 13 recites, *inter alia*, a “computer peripheral adapter that services communications between a wireless user input device and a serviced host computer, the computer peripheral adapter comprising: . . . wherein when the serviced host computer initiates bootstrap operations via a Basic Input System (BIOS), the host interface operates in a BIOS host interface mode to allow input from the wireless user input device to the BIOS during the bootstrap operations; and wherein when the serviced host computer initiates Operating System (OS) operations via an OS, the host interface operates in an OS host interface mode to allow input from the wireless user input device to the OS, wherein the OS host interface mode differs from the BIOS host interface mode.” (emphasis added).

Further, Applicant’s Claim 18 recites a “computer peripheral adapter that services communications between a wireless user input device and a serviced host computer, the computer peripheral adapter comprising: a bus coupler that couples the computer peripheral adapter to a peripheral bus of the serviced computer; a wireless network interface that wirelessly communicates with the wireless user input device; a host interface communicatively coupled to the bus coupler and to the wireless network interface that includes: a hub that operably couples to the serviced host computer via the bus coupler and the peripheral bus; a Basic Input/Output System (BIOS) host interface module operably coupled to the hub that supports BIOS host interface operations; and an Operating System (OS) host interface module operably coupled to the hub that supports OS host interface operations; wherein when the serviced host computer initiates bootstrap operations via a BIOS, the serviced host computer accesses the BIOS host interface operations of the BIOS host interface module; and wherein when the serviced host computer initiates OS operations via an OS, the serviced host computer accesses the OS host interface operations of the OS host interface module.” (emphasis added).

The Office Action also cited Milios as anticipating Applicant’s method of Claim 23. But Milios, for example, does not set out a method for operating a host side wireless interface while the serviced host computer is performing bootstrap operations. Instead, the robustness device of

Milios provides an alternative to wireless device interaction when the host computer and its wireless driver operations fail subsequent to a bootstrap operation.

The method of Applicant's Claim 23 recites, *inter alia*, a "method for operating a host-side wireless interface that is operably coupled to a serviced host computer to support communications from a wireless user input device to the serviced host computer, the method comprising: during a first operation, interfacing with a Basic Input/Output System (BIOS) of the serviced host computer while the serviced host computer is performing bootstrap operations, . . . ; and during a second operation, interfacing with an Operating System (OS) of the serviced host computer,"

Accordingly, Applicant respectfully submits that each and every element as set forth in Applicant's claimed invention is not found in Milios. Applicant respectfully requests that the rejection to Independent Claim 1 and Claims 2-11 that depend directly or indirectly therefrom, and Independent Claim 13 and Claims 14-16 that depend directly or indirectly therefrom, and Independent Claim 18 and Claims 19-21 that depend directly therefrom, and Independent Claim 23 and Claims 24-27 that depend directly or indirectly therefrom, be withdrawn.

2. Rejection under 35 U.S.C. § 103

Claims 12, 17, 22 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Milios et al., US Patent Application Publication no. 2002/0077764 ("Milios").

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. MPEP § 2142, p. 2100-134 (8th ed., Rev. 3, August 2005) (citations omitted).

Claim 12 depends from Claim 1; Claim 17 depends from Claim 13; Claim 22 depends from Claim 18; and Claim 28 depends from Claim 23. As Applicant has respectfully submitted with respect to Claims 1, 13, 18, and 23, each and every element as set forth in Applicant's claimed invention is not found in Milios. Similarly, Applicant respectfully submits that Milios does not teach or suggest all the claim limitations of Claims 12, 17, 22, and 28, and accordingly, that a

prima facie case of obviousness has not been established. Applicant respectfully requests that the rejection to these claims be withdrawn.

3. Conclusion

As a result of the foregoing, the Applicant asserts that its Claims 1 through 28 are in condition for allowance, and respectfully requests an early allowance of such Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at ksmith@texaspatents.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126. 37 C.F.R. § 1.136.

Respectfully submitted,

Date: **June 12, 2006**

/Kevin L. Smith/
Kevin L. Smith, Reg. No. 38,620
Attorney for Applicant

Garlick Harrison & Markison
P.O. Box 160727
Austin, Texas 78716-0727
(972) 772-8836/office
(972) 772-5033/facsimile